



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Bausch & Lomb Incorporated
One Bausch & Lomb Place
Rochester NY 14604-2701

COPY MAILED

FEB 23 2009

OFFICE OF PETITIONS

In re Application of
Mittelstein et al.
Application No. 10/673,296
Filed: September 29, 2003
Attorney Docket No. P03115

:
: DECISION NOTING JOINDER OF
: INVENTOR AND PETITION
: UNDER 37 CFR 1.47(a)
:

This is in response to the renewed petition under 37 CFR 1.47(a), filed November 12, 2008. Papers filed on November 12, 2008 included a Declaration signed by a previously non-signing inventor, Robert Schauer, in compliance with 37 CFR 1.63.

The petition is **dismissed as moot**.

Further consideration under § 1.47(a) is not necessary in view of the joinder of the inventor on October 30, 2008, the date inventor Schauer signed the Declaration. This application does not have any Rule 1.47 status and no such status should appear on the record for this file. This application need not be returned to this Office for any further consideration under 37 CFR 1.47(a).

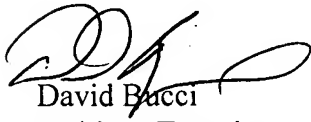
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

Telephone inquiries should be directed to Christopher Bottorff at (571) 272-6692.

A handwritten signature in black ink, appearing to read 'David Bucci', is positioned above the printed name.

David Bucci
Petitions Examiner
Office of Petitions